

15-219

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RIGHTS  
SACRAMENTO

FILE NO. 5570

## PROTEST BLANK

Application Number 4761

I, Imperial Irrigation District  
of El Centro, Calif., by its officers \_\_\_\_\_ Name of protestant  
of the application, or a notice relative to the application, of City of Los Angeles et al. Post-office address of protestant  
No. 4761 to appropriate from Colorado River Name the source  
at a point on Colorado River at approximate elevation 360 feet above sea level Describe location of applicant's point of diversion

It is desired to protest against the approval thereof because to the best of our information and belief the proposed appropriation will result in injury to protestant as follows: My or our  
(See statement attached hereto and made a part hereof) State the injury which will result to you

Protestant claims a right to the use of water from the source from which applicant proposes to divert, which right is based upon notice posted and use begun prior Dec. 19, 1914, as will more fully appear by "Abstract of Water Rights of Imperial Irrigation District filed herewith and made a part hereof." Prior application, notice posted or use begun prior to December 19, 1914; riparian claim, etc.  
The extent of present and past use of water by protestant or his predecessors in interest from this source is as follows: (See statement attached hereto and made a part hereof) State approximate date first use made, amount used, time of year when diversion is made, the use to which water is put

The point at which diversion is made by protestant is on the west bank of Colorado River at what is known as Rockwood Gate about 6000 feet above the international boundary line between the United States and Mexico Describe location with sufficient accuracy that position thereof relative to that of applicant may be determined

This protest may be disregarded and dismissed if any and all right which may be granted to the applicant shall be expressly junior to the firm and perpetual right of protestant to divert and use annually 4,180,000 acre feet of water from the Colorado River State conditions which will relieve protest

A true copy of this protest has been served upon the applicant \_\_\_\_\_ Personally or by mail

Date April 11<sup>th</sup> 1919

IMPERIAL IRRIGATION DISTRICT

By [Signature] President

NOTE.—Protests must be filed within the time allowed by the Division as stated in the published notice relative to an application or with further time as may be allowed.

(OVER)

1 Under and pursuant to notices posted and recorded as  
2 required by law, water was diverted from the Colorado River  
3 to the lands in Imperial Valley, now within the boundaries of  
4 Imperial Irrigation District, in June 1901 and that as provided  
5 by said appropriation notices the appropriation was for use in  
6 the whole of that section of California known as Imperial  
7 Valley; that the extension of use was prosecuted with diligence  
8 at all times from the date of the first appropriation and the  
9 first delivery of water to the present time and is so being  
10 prosecuted at the present time and will be so prosecuted in the  
11 future until the whole area to be served is covered with water  
12 from the Colorado River; that for the purpose of purchasing and  
13 extending the canal and flood protective system the Imperial  
14 Irrigation District has voted, issued and sold \$13,500,000  
15 worth of bonds and that in addition to the construction and  
16 development under and by virtue of the sale of its bonds the  
17 annual budget of Imperial Irrigation District at the present  
18 time is approximately \$3,000,000, material parts of which are  
19 used for betterment and extensions; that prior to 1918 it was  
20 found that in order to serve all of the lands that could proper-  
21 ly be served from this source a new canal commonly known as the  
22 All American Canal was necessary and to that end on October  
23 23, 1918, the Imperial Irrigation District entered into a  
24 contract with the United States for a change of its point of  
25 diversion from Rockwood Gate to the Laguna Dam for the  
26 construction of the All American Canal; that \$640,000 have  
27 been paid by the Imperial Irrigation District on its contract  
28 with the United States for a right to use the Laguna Dam and  
29 the district has petitioned the Congress for the construction  
30  
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1 of the All American Canal in connection with the Boulder  
2 Canyon Project; that the Boulder Canyon Project Act was passed  
3 by the Congress and approved December 21, 1928, by the terms of  
4 which the United States will construct the All American Canal,  
5 the construction cost of which is to be repaid by the lands to  
6 be served; that at the time the said appropriation notices were  
7 posted and from long prior to 1918 it was the intention of  
8 Imperial Irrigation District under its water rights to extend  
9 its service to all lands under the proposed All American Canal  
10 and that could be served therefrom and that this intention  
11 has been made public on all occasions and is common knowledge  
12 throughout Imperial Valley, California, and most of the United  
13 States; that there will be approximately 950,000 acres of  
14 irrigable land to be served from the All American Canal and  
15 in order to pay the construction cost of the same it will be  
16 necessary to serve all of said lands and all of said lands  
17 will contribute to the construction cost thereof; that the  
18 reasonable minimum water from said canal will be 4.4 acre feet  
19 per acre per annum which will require 4,180,000 acre feet  
20 per annum to serve said lands; that since long prior to 1918  
21 the Imperial Irrigation District has recognized and it has  
22 been commonly and generally recognized by all persons having  
23 knowledge of the situation that the All American Canal is  
24 necessary to properly serve the Imperial Irrigation District,  
25 but that if the rights of the said district to a firm, constant,  
26 and perpetual flow of water less than 4,180,000 acre feet  
27 per year is interfered with the All American Canal cannot  
28 be constructed and the Imperial Irrigation District will be  
29 seriously injured and greatly damaged in its water rights.  
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1 That that section of California in and adjacent to said  
2 district is arid; that the growing season extends throughout  
3 the year and water is diverted in substantially the same  
4 quantity at all times during the year; that at the present  
5 time there resides within Imperial Irrigation District approx-  
6 imately 75,000 persons dependent wholly upon the water rights  
7 of Imperial Irrigation District for their irrigation and  
8 domestic supply; that property values well in excess of  
9 \$100,000,000 have been built up and now exist wholly contingent  
10 upon the continuation of an adequate supply of water; that  
11 there is no other source of water and no other source can be  
12 made available; that the water supply from the Colorado River  
13 is limited; that under the Boulder Canyon Project Act  
14 California is required to limit her use to 4,400,000 acre feet  
15 of water apportioned to the lower basin states by paragraph  
16 (a) of Article III. of the Colorado River Compact, plus one-  
17 half of the surplus or excess water unappropriated by said  
18 compact; that California by act of her Legislature has  
19 accepted the limitation prescribed in said Boulder Canyon  
20 Project Act; that the water already appropriated and used in  
21 the Palo Verde Valley and in the Yuma Project in California,  
22 together with the appropriation and requirements of Imperial  
23 Irrigation District will require all of the water to which  
24 California can acquire title under the Boulder Canyon Project  
25 Act, and the laws of California when the said limitation act  
26 of California becomes effective; that there is no unappropria-  
27 ted water available for this applicant or any other applicant  
28 except from the water which is surplus over and above the  
29 4,400,000 to which California has limited herself, and that  
30 protestant demands that no further rights to appropriate be  
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1 granted to this or any other applicant except from such water  
2 which is surplus as defined by the Colorado River Compact and  
3 in said act of limitation.  
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15-220

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RIGHTS  
SACRAMENTO

FILE No. 5570

## PROTEST BLANK

Application Number 4056

I/ Imperial Irrigation District Name of protestant  
of El Centro, Calif., by its officers Post-office address of protestant have read carefully a copy  
of the application, or a notice relative to the application, of City of Los Angeles et. al. State name of applicant  
No. 4056 to appropriate from Colorado River Name the source  
at a point approximately 100 feet north of the northeasterly corner of  
Lot 1, Sec. 14, T. 3 South, R. 23, S.B.B.M. in Riverside County Describe location of applicant's point of diversion

It is desired to protest against the approval thereof because to the best of our My or our information and belief the  
proposed appropriation will result in injury to protestant Me or us as follows: See statement attached  
hereto and made a part hereof State the injury which will result to you

Protestant claims a right to the use of water from the source from which applicant proposes to divert, which  
right is based upon notice posted and use begun prior Dec. 19, 1914, as will  
more fully appear by "Abstract of Water Rights of Imperial Irrigation  
District filed herewith and made a part hereof. Prior application, notice posted or use begun prior to December 19, 1914, riparian claim, etc.

The extent of present and past use of water by protestant or his predecessors in interest from this source is as  
follows: See statement attached hereto and made a part hereof  
State approximate date first use made, amount used, time of year when diversion is made, the use to which water is put

The point at which diversion is made by protestant is on the west bank of Colorado River  
at what is known as Rockwood Gate about 6000 feet above the internat-  
ional boundary line between the United States and Mexico Describe location with sufficient accuracy that position thereof relative to that of applicant may be determined

This protest may be disregarded and dismissed if any and all right which may be granted to the applicant shall be State conditions which will relieve protest  
expressly junior to the firm and perpetual right of protestant to  
divert and use annually 4,180,000 acre feet of water from the Colorado  
River

A true copy of this protest has been served upon the applicant.

Personally or by mail

IMPERIAL IRRIGATION DISTRICT

Date

April 11<sup>th</sup> - 1929

By

[Signature] Protestant's name President

NOTE.—Protests must be filed within the time allowed by the Division as stated in the published notice relative to an application of such further time as may be allowed.

(OVER)



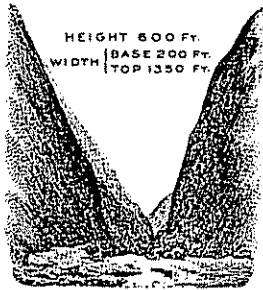
1 Under and pursuant to notices posted and recorded as  
2 required by law, water was diverted from the Colorado River  
3 to the lands in Imperial Valley, now within the boundaries of  
4 Imperial Irrigation District, in June 1901 and that as provided  
5 by said appropriation notices the appropriation was for use in  
6 the whole of that section of California known as Imperial  
7 Valley; that the extension of use was prosecuted with diligence  
8 at all times from the date of the first appropriation and the  
9 first delivery of water to the present time and is so being  
10 prosecuted at the present time and will be so prosecuted in the  
11 future until the whole area to be served is covered with water  
12 from the Colorado River; that for the purpose of purchasing and  
13 extending the canal and flood protective system the Imperial  
14 Irrigation District has voted, issued and sold \$13,500,000  
15 worth of bonds and that in addition to the construction and  
16 development under and by virtue of the sale of its bonds the  
17 annual budget of Imperial Irrigation District at the present  
18 time is approximately \$3,000,000, material parts of which are  
19 used for betterment and extensions; that prior to 1918 it was  
20 found that in order to serve all of the lands that could proper-  
21 ly be served from this source a new canal commonly known as the  
22 All American Canal was necessary and to that end on October  
23 23, 1918, the Imperial Irrigation District entered into a  
24 contract with the United States for a change of its point of  
25 diversion from Rockwood Gate to the Laguna Dam for the  
26 construction of the All American Canal; that \$640,000 have  
27 been paid by the Imperial Irrigation District on its contract  
28 with the United States for a right to use the Laguna Dam and  
29 the district has petitioned the Congress for the construction  
30  
31  
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1 of the All American Canal in connection with the Boulder  
2 Canyon Project; that the Boulder Canyon Project Act was passed  
3 by the Congress and approved December 21, 1928, by the terms of  
4 which the United States will construct the All American Canal,  
5 the construction cost of which is to be repaid by the lands to  
6 be served; that at the time the said appropriation notices were  
7 posted and from long prior to 1918 it was the intention of  
8 Imperial Irrigation District under its water rights to extend  
9 its service to all lands under the proposed All American Canal  
10 and that could be served therefrom and that this intention  
11 has been made public on all occasions and is common knowledge  
12 throughout Imperial Valley, California, and most of the United  
13 States; that there will be approximately 950,000 acres of  
14 irrigable land to be served from the All American Canal and  
15 in order to pay the construction cost of the same it will be  
16 necessary to serve all of said lands and all of said lands  
17 will contribute to the construction cost thereof; that the  
18 reasonable minimum water from said canal will be 4.4 acre  
19 feet per acre per annum which will require 4,180,000 acre feet  
20 per annum to serve said lands; that since long prior to 1918  
21 the Imperial Irrigation District has recognized and it has  
22 been commonly and generally recognized by all persons having  
23 knowledge of the situation that the All American Canal is  
24 necessary to properly serve the Imperial Irrigation District,  
25 but that if the rights of the said district to a firm, constant,  
26 and perpetual flow of water less than 4,180,000 acre feet  
27 per year is interfered with the All American Canal cannot  
28 be constructed and the Imperial Irrigation District will be  
29 seriously injured and greatly damaged in its water rights.  
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1 That that section of California in and adjacent to said  
2 district is arid; that the growing season extends throughout  
3 the year and water is diverted in substantially the same  
4 quantity at all times during the year; that at the present  
5 time there resides within Imperial Irrigation District approx-  
6 imately 75,000 persons dependent wholly upon the water rights  
7 of Imperial Irrigation District for their irrigation and  
8 domestic supply; that property values well in excess of  
9 \$100,000,000 have been built up and now exist wholly contin-  
10 gent upon the continuation of an adequate supply of water; that  
11 there is no other source of water and no other source can be  
12 made available; that the water supply from the Colorado River  
13 is limited; that under the Boulder Canyon Project Act  
14 California is required to limit her use to 4,400,000 acre feet  
15 of water apportioned to the lower basin states by paragraph  
16 (a) of Article III. of the Colorado River Compact, plus one-  
17 half of the surplus or excess water unappropriated by said  
18 compact; that California by act of her Legislature has  
19 accepted the limitation prescribed in said Boulder Canyon  
20 Project Act; that the water already appropriated and used in  
21 the Palo Verde Valley and in the Yuma Project in California,  
22 together with the appropriation and requirements of Imperial  
23 Irrigation District will require all of the water to which  
24 California can acquire title under the Boulder Canyon Project  
25 Act, and the laws of California when the said limitation act  
26 of California becomes effective; that there is no unappropri-  
27 ated water available for this applicant or any other applicant  
28 except from the water which is surplus over and above the  
29 4,400,000 to which California has limited herself, and that  
30 protestant demands that no further rights to appropriate be  
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1 granted to this or any other applicant except from such water  
2 which is surplus as defined by the Colorado River Compact and  
3 in said act of limitation.  
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15-221



DAM SITE  
BOULDER DAM ALL AMERICAN  
CANAL PROJECT

# IMPERIAL IRRIGATION DISTRICT

ORGANIZED JULY 25, 1911  
COMPRISING 605,000 ACRES

EL CENTRO, CALIFORNIA

FILE No. 5570

OFFICERS  
EARL C. POUND, PRESIDENT  
F. H. MCIVER, SECRETARY AND TREASURER  
M. J. DOWD, CHIEF ENGINEER  
CHAS. L. CHILDERS, ATTORNEY  
C. W. BARRY, ASSESSOR & COLLECTOR

DIRECTORS  
C. W. BROCKMAN, CALEXICO  
IRA ATEN, EL CENTRO  
W. O. BLAIR, CALIPATRIA  
EARL C. POUND, BRAWLEY  
MARK ROSE, HOLTVILLE

March 21, 1929.

Imperial Irrigation District,  
El Centro, California.

Attention Mr. McIver.

Gentlemen:

I have your favor of the 18th. instant with copy of resolution adopted at the meeting of March 12th. concerning protest against the issuance of any permits or licenses to appropriate water from the Colorado River by the Division of Water Rights.

The purpose of the resolution seems clear except that in next to the last line the word "or" should be "of". In other words, it should read "by paragraph (a) of Article III"; furthermore, the "A" should not be quoted in the resolution, but should be in parenthesis. (a)

I understood the resolution to mean that we protest against the issuance of any right to appropriate any water from the 4,400,000 acre feet to which California by the Boulder Canyon project act is required to limit herself.

Faithfully yours, ~

*Chas. L. Childers*

CLC-b

March 21, 1929.

Imperial Irrigation District,  
El Centro, California.

Attention Mr. McIver.

Gentlemen:

I have your favor of the 18th. instant with copy of resolution adopted at the meeting of March 12th. concerning protest against the issuance of any permits or licenses to appropriate water from the Colorado River by the Division of Water Rights.

The purpose of the resolution seems clear except that in next to the last line the word "or" should be "of". In other words, it should read "by paragraph A of Article IV., furthermore, the "A" should not be quoted in the resolution, but should be in parenthesis.

I understood the resolution to mean that we protest against the issuance of any right to appropriate any water from the 4,400,000 acre feet to which California by the Boulder Canyon project act is required to limit herself.

Faithfully yours,

CLC-b

March 18, 1929

Mr. Chas. L. Childers, Chief Counsel,  
Imperial Irrigation District,  
El Centro, California.

Dear Mr. Childers:

You will find copy of resolution adopted by the Board at its meeting of March 12, 1929 regarding the protest against issuance of permits or licenses, enclosed.

This resolution was drawn up hurriedly before you left for Denver, and therefore is referred to you for correction, if need be. I will hold the matter in abeyance until I receive an approved copy of the resolution.

It is the desire of the Board that you take the necessary steps to file the protest.

Yours very truly,

F. H. McIver,  
Secretary-Treasurer.

1:B



Minutes  
3-19-29

FILE No. \_\_\_\_\_

RESOLVED, that Imperial Irrigation District protest to the Division of Water Rights of the State of California against the issuance of any further permits or licenses for the appropriation of any of that portion of the water from the Colorado river apportioned or to be apportioned to California from the water apportioned to the lower basin states, by Paragraph (a) of Article ~~II~~, III. of the Colorado River compact.

15-222

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

DIVISION OF WATER RIGHTS  
707 FORUM BUILDING

FILE	5570	
DATE		
RECEIVED		
BY		
DATE		
FILE		
DATE		
FILE		
DATE		
FILE		
DATE		

RECEIVED

JUN 15 1927

Secy. Office, L. I. D.

June 13, 1927

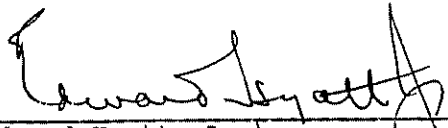
Re Colorado River

Imperial Irrigation District  
El Centro, California

Gentlemen: ATTENTION: F. H. McIver, Secretary-Treasurer

This is to acknowledge receipt of and thank you for your  
courtesy of May 25th and enclosures relative to Colorado River matters.

Very truly yours,

  
(Edward Hyatt, Jr.)  
CHIEF OF DIVISION OF WATER RIGHTS

5570

15-223

5570	
RECEIVED	
DATE	
TIME	
BY	
FOR	
TO	
FROM	
REMARKS	

May 25, 1927

Edward Hyatt, Jr., Chief of Division of Water Rights,  
Department of Public Works,  
Sacramento, California.

Dear Sir:

In compliance with your request of May 23rd,  
we are sending you copy of "Abstract of Water Rights" of  
Imperial Irrigation District, Senate Bill S. 3331 and  
Report to accompany same; also miscellaneous booklets  
for your information.

If there is any further information we can  
give you, we will be glad to do so upon request.

Yours very truly,

F. H. McIver,  
Secretary-Treasurer.

2:B

5570

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

DIVISION OF WATER RIGHTS  
707 FORUM BUILDING

RECEIVED

MAY 25 1927

Secy, Office, I. I. D.

May 23, 1927

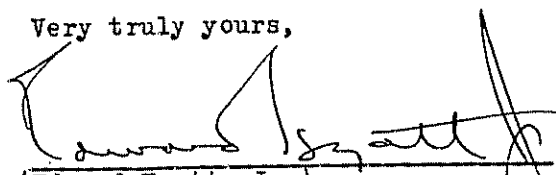
Re Colorado River

Imperial Irrigation District  
El Centro, California

Gentlemen:

The Division of Water Rights is building up a file of information on the Colorado River and in this connection has secured a reference to "ABSTRACT OF WATER RIGHTS OF IMPERIAL IRRIGATION DISTRICT" dated 1925. If you have a copy of this available its receipt would be appreciated on our part; also we would be glad to have you send us any other information in your possession which you think would be of value.

Very truly yours,



(Edward Hyatt, Jr.)  
CHIEF OF DIVISION OF WATER RIGHTS

15-224

FILED 25, 1925 5570	
REPLY TO GUY FOSTER ATTORNEY AND/OR	DATE PAGE

El Centro, Cal.

CHAS. G. FRISBIE

PHONE METRO 1618

532 STACK BUILDING

Engineering fees 17 days @ \$25.00  
Assistant engineer 20 days @ \$8.00

\$425.00  
160.00

<u>Expenses</u>	<u>Trip</u>
R.R Fares	Main Line
R.R Fares	Side Trips
Pullman Fares	
Auto Transportation	
Hotel and meals	

$$\begin{array}{r} \$585.00 \\ 140.50 \\ 21.80 \\ 64.75 \\ 32.75 \\ 159.75 \\ \hline \$419.55 \end{array}$$

Expenses Office  
Stenographer

$$\begin{array}{r} 35.45 \\ \hline \$ 35.45 \end{array}$$

Total	\$1040.00
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improved  
Chas. Childers

5570



40400

July

5

7	28	To engineering services and expenses in the investigation and compilation of a report on various irrigation projects on the upper Colorado River in the States of Utah and Colorado as follows:			
		Engineering fees 17 das. @ 25.00	425	00	
		Assistant engineer 20 das. @ 8.00	160	00	585 00
		Expenses Trip			
		R.R. Fares Main Line	140	50	
		R.R. Fares Side Trips	21	80	
		Pullman Fares	64	75	
		Auto Transportation	32	75	
		Hotel and meals	159	75	419 50
		Expenses Office			
		Stenographer	35	45	55 45

1040 00

JUL 20 1925

40405

Chas. G. Frisbie

1040.00---

One Thousand Forty and no/100 - - - - -

15-225

CLASS OF SERVICE	SYMBOL
TELEGRAM	
DAY LETTER	BLUE
NIGHT MESSAGE	NITE
NIGHT LETTER	N.L.

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

# WESTERN UNION TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. EL ATKINS, FIRST VICE-PRESIDENT

CLASS OF SERVICE	SYMBOL
TELEGRAM	
DAY LETTER	BLUE
NIGHT MESSAGE	NITE
NIGHT LETTER	N.L.

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

The filing time as shown in the date line on full-rate telegrams and day letters, and the time of receipt at destination as shown on all messages, is STANDARD TIME.

Received at 590 Main Street, El Centro, Calif.

P59S AX 23 NL

DENVER COLO JULY 6 1925

CHAS CHILDERS

196 EL CENTRO CALIF

CAN REACH ME AT SAVOY HOTEL DENVER FOR NEXT 3 DAYS WILL NOT BE  
ABLE TO GET BACK TO LOS ANGELES BEFORE THE THIRTEENTH

CHAS C. FRISBIE

1:05 P

REC.	5570	
Minutes		
REFERRED	SENT	AMS
Gen. Mgr.		
Com. Engr.		
Attorney		
Auditor		

5570

File	5570	
Minutes		
RECEIVED	Sent	Ans.
Gen. Mgr.		
Gen. Engr.		
Attorney		
Auditor		

June 26, 1925.

Mr. Chas. L. Childers,  
Attorney,  
El Centro, Calif.

Dear Sir:

The Board upon your request authorizes you to employ Chas. G. Frisbie of Los Angeles to gather the necessary data concerning the diversion of waters from the Colorado River and its tributaries for beneficial use, which diversions effect the water rights of Imperial Irrigation District.

This action was taken by the Board of Directors at its meeting of June 23, 1925.

Very truly yours,

F.H. McIver,  
Secretary-Treasurer.

FHMCI:C

5570

June 26, 1925.

Mr. Chas. L. Childers,  
Attorney,  
El Centro, Calif.

Dear Sir:

The Board upon your request authorizes you to employ Chas. G. Frisbie of Los Angeles to gather the necessary data concerning the diversion of waters from the Colorado River and its tributaries for beneficial use, which diversions effect the water rights of Imperial Irrigation District.

This action was taken by the Board of Directors at its meeting of June 25, 1925.

Very truly yours,

F.H. McIver,  
Secretary-Treasurer.

FHMCI:C

15-226

CLASS OF SERVICE DESIRED	
Telegram	<input type="checkbox"/>
Day Letter	<input checked="" type="checkbox"/>
Night Message	<input type="checkbox"/>
Night Letter	<input type="checkbox"/>

Patrons should mark an X opposite the class of service desired: OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

# WESTERN UNION TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

Form 1206	
Minutes	
Receiver's No.	
REPERIOD	
Gen. Mgr.	
Con. Engr.	
Check	
Attorney	
Auditor	
Time Filed	

Send the following message, subject to the terms on back hereof, which are hereby agreed to

June 16th, 1925.

FRED D. PYLE,  
2205 Ward St.,  
Berkeley, Calif.

ARE YOU AVAILABLE FOR EMPLOYMENT ONE TO THREE WEEKS  
GATHERING CERTAIN DATA UTAH AND COLORADO FOR DISTRICT. IF SO  
WHAT COMPENSATION REQUIRED. WIRE ANSWER

Chas. L. Childers

5570

15-227



CLASS OF SERVICE DESIRED	
Telegram	
Day Letter	
Night Message	
Night Letter	
Patrons should mark an X opposite the class of service desired; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM	

# WESTERN UNION



# TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

RECEIVED	
Office	Receiver's No.
Time	Check
Time Filled	

Send the following message, subject to the terms on back hereof, which are hereby agreed to

February 16th, 1925.

F. W. GREER,  
Raleigh Hotel,  
Washington, D.C.

ANSWERING WIRE SUGGEST YOU SECURE ENDORSEMENT OF  
BUREAU OF RECLAMATION TO WARRANT WE HAVE NO AUTHORITY TO SUBSTITUTE.

F. H. MC IVER,  
Secretary-Treasurer.

5570

TELEGRAM  
COPY

WASHINGTON D.C. FEB. 16, 1925.

F. H. MC IVER,  
SECY TREASURER IMPERIAL IRRIGATION DISTRICT, EL CENTRO, CALIF.

WHEN WARRANT ARRIVED DID EVERY THING SUGGESTED YOUR  
WIRE STOP THEY SAY WARRANT WAS IMPROPERLY DRAWN AS TO PAYEE THAT  
THEY HAVE NO AUTHORITY ENDORSE WARRANTS OR CHECKS AND WOULD NOT  
HAVE ACCEPTED THIS WARRANT IN SETTLEMENT FAIL SEE WHY BOARD CANT  
AUTHORIZE NEW WARRANT CANCELLING OLD WILL MAIL OLD WARRANT TOMORROW  
OR IF BOARD PREFERENCES WILL HAVE BANK HERE WIRE THEY ARE WILLING IF  
ANY DOUBT ABOUT DATA BEING EN ROUTE CHILDERS ASK BOARD PASS NEW  
WARRANT UNDERSTANDING YOU HOLD THERE PENDING RECEIPT BY HIM THEN  
WIRE AMOUNT MEANTIME IF AM STUCK AS USUAL FIVE DAYS MY OWN  
SALARY TO PARTIALLY REPLACE MONEY SPENT FOR DISTRICT STOP IF THAT  
INFEASIBLE ASK POUND ROSE LEND AND GIVE THEM DAILY CHECKS UNTIL  
AMOUNT PAID MY EFFORTS THIS MATTER INTENDED SOLELY EXPEDITE CHILDERS  
WORK DATA READY SATURDAY BUT DELAYED ASKING DELIVERY THINKING WARRANT  
WOULD COME NOT ARRIVING THIS MORNING NATURALLY THOUGHT HAD BEEN OVER-  
LOOKED MEANING ANOTHER WEEK DELAY THEREFORE PAID PERSONALLY SHIPPED  
PARCEL POST SPECIAL DELIVERY INSURED RETURNING HOTEL FOUND WARRANT  
THERE.

F. W. GREER.-819A Feb. 17

WASHINGTON, D. C. Feb. 16, 1925.

F. H. MC IVER,  
SECRETARY TREASURER IMPERIAL IRRIGATION DISTRICT, EL CENTRO, CALIF.

RECEIVED WARRANT THIS AFTERNOON AFTER HAD PAID FOR  
RECEIVED AND SHIPPED WATER FILING DATA TO CHILDERS STOP PLEASE WIRE  
ME AUTHORITY TO ENDORSE WARRANT OR ELSE HAVE NEW WARRANT ISSUED  
TOMORROW AND WIRE MONEY STOP IN THAT EVENT WILL OF COURSE RETURN  
THIS WARRANT TO YOU FOR CANCELLATION.

F. W. Greer. ---1252P

F. W. Greer

Raleigh Hotel,  
Washington, D.C.      xxxxxxxx

February

37916

5

2    9    Cost estimate of data in connection with  
proposed suits to protect the water  
rights of Imperial Valley-being transcripts  
of records from the Bureau of Reclamation,  
covering stream measurements, filings,  
appropriations, and use of water on the  
Colorado River.

150 00

37916

---F. W. Greer---

150.00--

One Hundred Fifty and No/100- - - - -

Bureau of Reclamation

February

87702

5

2	9	Cost estimate of data in connection with proposed suits to protect the water rights of Imperial Valley-being transcripts of records from the Bureau of Reclamation, covering stream measurements, filings, appropriations, and use of water on the Colorado River.	150	00
---	---	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----	----

87702

FEB 9 1925	-----Bureau of Reclamation---	150.00---
One Hundred Fifty and No/100 - - - - -		

15-228

5570

February 10, 1925.

Mr. F.W. Greer,  
Raleigh Hotel,  
Washington, D.C.

Dear Sir:

Following my telegram, I beg to  
enclose herewith District voucher to the Bureau  
of Reclamation for \$150.00.

Kindly use this, or so much of it as  
may be necessary to obtain the data on the Colorado  
River diversions.

With kindest regards, I am

Faithfully yours,

CLC:C  
ENC'L.

5570

February 10, 1925.

Mr. F.W. Greer,  
Raleigh Hotel,  
Washington, D.C.

Dear Sir:

Following my telegram, I beg to  
enclose herewith District voucher to the Bureau  
of Reclamation for \$150.00.

Kindly use this, or so much of it as  
may be necessary to obtain the data on the Colorado  
River diversions.

With kindest regards, I am

Faithfully yours,

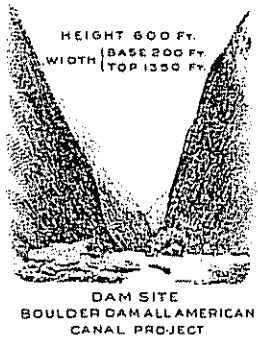
CLC:C  
ENC'L.



15-229

5570

OFFICERS	
President	Earle C. Pound
Secretary and Treasurer	F. H. McIver
Chief Engineer	Ray S. Carberry
Attorney	Charles L. Childers
Assessor & Collector	C. W. Barry
DIRECTORS	
C. W. Brockman	Calenico
Ira Aten	El Centro
Mack Trentham	Imperial
Earle C. Pound	Brawley
Mark Rose	Holtville



# IMPERIAL IRRIGATION DISTRICT

ORGANIZED JULY 25, 1911  
 COMPRISING 603,840 ACRES

EL CENTRO, CALIFORNIA

February 9, 1925.

Imperial Irrigation District,  
 El Centro, California.

Attention Mr. McIver.

Dear Sir:

I have ordered transcripts of records from the Bureau of Reclamation covering stream measurements, filings, appropriations, and use of water on the Colorado River. This is in connection with proposed suits to protect the water rights of Imperial Valley. The cost estimate of this data is \$150.00. Will you kindly prepare a warrant to the Bureau of Reclamation for that amount to be passed by the Board on the 9th. instant?

Faithfully yours,

*Charles L. Childers*

CLE-a

*Transmitted to Childers  
 2/10/25  
 J.H.C.*

5570

February 9, 1925.

Imperial Irrigation District,  
El Centro, California.

Attention Mr. McIver.

Dear Sir:

I have ordered transcripts of records from the Bureau of Reclamation covering stream measurements, filings, appropriations, and use of water on the Colorado River. This is in connection with proposed suits to protect the water rights of Imperial Valley. The cost estimate of this data is \$150.00. Will you kindly prepare a warrant to the Bureau of Reclamation for that amount to be passed by the Board on the 9th. instant?

Faithfully yours,

CLC-d

Warrant # 37702  
cancelled from  
records - 2/19/25 -  
By order of Board  
2/17/25 - JH

February 19, 1925.

Mr. Ray S. Carberry,  
Chief Engineer,  
Imperial Irrigation Dist.,  
Callexico, Calif.

Dear Sir:

On February 9th, the Board issued a  
Warrant in favor of Bureau of Reclamation,  
amount \$150.00, said warrant bearing #37702.

On February 17th, the Board was ad-  
vised by wire from F.W. Greer that transcripts  
of records from the Bureau of Reclamation had  
been received and paid for by himself, and  
requested that warrant be cancelled and made to  
his favor.

This action was taken by the Board on  
its meeting of Feb. 17th. You may, therefore,  
cancel from your records Warrant #37702, favor  
Bureau of Reclamation, and note that claim is  
satisfied through payment to F.W. Greer by  
Warrant #37916.

Very truly yours,

F.H. McIver,  
Secretary-Treasurer.

FHMCI:C

February 19, 1925.

Mr. Ray S. Carberry,  
Chief Engineer,  
Imperial Irrigation Dist.,  
Calxico, Calif.

Dear Sir:

On February 9th, the Board issued a warrant in favor of Bureau of Reclamation, amount \$150.00, said warrant bearing #37702.

On February 17th, the Board was advised by wire from F.W. Greer that transcripts of records from the Bureau of Reclamation had been received and paid for by himself, and requested that warrant be cancelled and made to his favor.

This action was taken by the Board on its meeting of Feb. 17th. You may, therefore, cancel from your records Warrant #37702, favor Bureau of Reclamation, and note that claim is satisfied through payment to F.W. Greer by Warrant #37910.

Very truly yours,

F.H. McIver,  
Secretary-Treasurer.

FHMcI:C

15-230

ADDRESS OFFICIAL COMMUNICATIONS TO  
THE SECRETARY OF STATE  
WASHINGTON, D. C.



In reply refer to  
Me 711.1216M/519

DEPARTMENT OF STATE  
WASHINGTON

August 20, 1923

File	5570
Number	
DATE	
NAME	

Mr. F. H. McIver,

Secretary, Imperial Irrigation District,

El Centro, California.

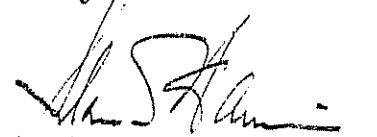
Sir:

The Department acknowledges the receipt of your letter of August 3, 1923, and its enclosures, supplementing your telegram of the same date, concerning your statement relating to water rights in the Colorado River.

I am, Sir,

Your obedient servant,

For the Secretary of State:

  
Assistant Secretary.

5570

15-231



[illegible]

Imperial Irrigation District,  
Attention Mr. McIver,  
El Centro, California.

For the purpose of making a showing to the State Department concerning our rights on the Colorado River, I would suggest that the following data be obtained as soon as possible.

✓(e) Amount used in Imperial Valley

(c) Amount used at Palo Verde

✓ (e) Amount used in Mexico

2. Amount of land irrigated by years, covering the last ten years.

(b) Yuma Project

(d) Other projects

3. Duty of water per year over these lands. I believe the Reclamation Service Reports cover this and will be the best showing we could make.

July 21, 1923.

Imperial Irrigation District-

4. A detailed tabulation of crops produced showing as nearly as possible all different kinds, amount per acre, time of maturity, and value. This showing should also include the dairy industry and livestock generally. Doubtless the statistical report that Mr. Carberry is now obtaining will be valuable.

5. Amount of land yet to be brought under cultivation in all of these different projects and a showing that the new land is part of the same original general scheme and that the development of the whole project, including the new land, has been carried forward as rapidly as possible. This will involve a showing of the All American Canal legislation, and the amount of money which has been expended for that purpose, and the bills introduced in Congress, including the Kettner Bill, the Kincaid Bill, and the Swing-Johnston Bill, and a reference to the various reports such as the Laguna Water Company Report; the report of the All American Canal Board, and the Fall-Davis report.

6. A tabulation showing the growth of the southwest.

- (a) Population
- (b) Bank Clearings
- (c) Building permits
- (d) Pay rolls
- (e) Manufactured output, and such other information as will tend to show this growth.

Most of this information can be obtained from the Los Angeles Chamber of Commerce.

7. That the laws of California and Arizona recognize the rights of appropriation. Of course this showing will be made by myself.

8. A detailed statement of all the legal steps that were taken to appropriate the waters of the river and to convey the titles to the District. This statement will also be furnished by myself.

9. Copy of contracts and concessions in

July 21, 1923.

Imperial Irrigation District-

Mexico relative to the conveyance of water through Mexico, and the delivery to Mexican land.

There may be other matters that will come to our attention which we will want to include in the showing, but I am sure we will want all of the matters above indicated as soon as possible. I do not believe it will be necessary to encumber the showing with copies of all of the water claims and the various pleadings, decrees, deeds, etc. which finally rested the title in the District. However, that showing can be easily made if we desire later to use it. Naturally the thing the State Department wants to know is how much water has actually been beneficially used and what will be required when the project is ultimately completed. I have not had an opportunity to consult with Mr. Swing other than to read his letter of July 11th. Possibly he will have some other suggestions.

Faithfully yours,

CIC-d

15-232

Aug. 6th. 1923.

Mr. Chas. L. Childers,  
% Hotel Clark,  
Los Angeles, Calif.

Dear Sir:

We attach for your information copy of wire just received from the Secretary of State. Mr. Pound believes that you have already submitted the necessary papers.

Mr. Whitlock suggests that you call on Joseph Scott, Black Building, in regard to the Rose Moser Est. right of way. He states that Mr. Ross had this matter up with Mr. Scott previously, but no results had been obtained.

Roland McNitt, also in the Black Building, has the contract of A. Y. Price and Others, which he has agreed to execute.

Very truly yours,

F. H. McIver,  
Secretary-Treasurer

BP

15-233

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N.L.

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

# WESTERN UNION

## TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N.L.

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

RECEIVED AT

648 CA 33 COLLECT 3 EX

SD WASHINGTON DC 447PM AUG 6 1923

F H MCIVER

86

SECY IMP IR DIST ELCENTRO CALIF

YOUR TELEGRAM AUGUST THIRD THE DEPARTMENT WILL GIVE CAREFUL CONSIDERATION TO ANY VIEWS YOU MAY DESIRE TO SUBMIT CONCERNING WATER RIGHTS IN COLORADO RIVER TO WHICH YOU MAKE REFERENCE

CHARLES E HUGHES

SECY OF STATE

228PM

15-234



CLASS OF SERVICE DESIRED	
Telegram	
Day Letter	
Night Message	
Night Letter	

Patrons should mark an X opposite the class of service desired. OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM.

# WESTERN UNION



# TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

Receiver's No.
Check
Time Filed

Send the following message, subject to the terms on back hereof, which are hereby agreed to:

EL CENTRO, CA

COPY

F.H. McIver, 33 Collect -5 ex.  
Secy Imp. Ir. Dist. El Centro, Calif.

Your telegram August third the Department will give careful consideration to any views you may desire to submit concerning water rights in Colorado River to which you make reference.

Charles D. Hughes  
Secy of State

228 P.M.

15-235

CLASS C. SERVICE DESIRED	
Telegram	
Day Letter	
Night Message	
Night Letter	X

Patrons should mark an X opposite the class of service desired; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

# WESTERN UNION TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

Receiver's No.
Check
Time Filled

Send the following message, subject to the terms on back hereof, which are hereby agreed to

EL CENTRO

August 3rd, 1923.

Honorable Charles E. Hughes,  
Secretary of State,  
Washington, D. C.

REGARDING SETTLEMENT VARIOUS CONTROVERSIES WITH MEXICO PARTICULARLY RELATING TO WATER RIGHTS IN COLORADO RIVER. THIS DISTRICT COMPILING NECESSARY ENGINEERING DATA ESTABLISHING WATER RIGHT THIS COMMUNITY MEANTIME RESPECTFULLY REFER YOU TO OPINION ATTORNEY GENERAL JUDSON HARMON TWENTY ONE OFFICIAL OPINIONS TWO SEVENTY FOUR. ALSO BRIEF BY PHIL D. SWING IN PART TWO HEARINGS BEFORE HOUSE COMMITTEE IRRIGATION ARID LANDS SIXTY SIX CONGRESS H. R. SIXTY FORTY FOUR A BILL TO ASSIST IN INCREASING PRODUCTIVE AGRICULTURAL AREA IN IMPERIAL VALLEY. ALSO OPINION AND REPORT JUDGE M. C. BURCH ASSISTANT ATTORNEY GENERAL RENDERED NINETEEN THREE ON IMPERIAL VALLEY WATER RIGHTS TYPEWRITTEN COPY ON FILE ATTORNEY GENERALS OFFICE. ALSO OPINION ROBERT LANSING SECRETARY OF STATE RENDERED HOUSE COMMITTEE ON IRRIGATION ARID LANDS OF H. R. SIXTY FORTY FOUR AUGUST TWENTIETH NINETEEN NINETEEN. ALL HOLDING MEXICO HAS NO CLAIM TO WATER OF COLORADO RIVER EITHER UNDER INTERNATIONAL LAW OR TREATIES STOP RECLAMATION

CLASS OF SERVICE DESIRED	
Telegram	
Day Letter	
Night Message	
Night Letter	

Patrons should mark an X opposite the class of service desired; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

# WESTERN UNION TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

Receiver's No.
Check
Time Filled

Send the following message, subject to the terms on back hereof, which are hereby agreed to

EL CENTRO, CAL

SERVICE HAS PREPARED EXCELLENT BRIEF AMERICAN WATER RIGHTS COLORADO RIVER AND ARE INTERESTED BECAUSE OF RECLAMATION PROJECTS ON RIVER. SUGGEST THEY BE GIVEN OPPORTUNITY TO PRESENT THEIR VIEWS.

F. H. McIVER, Secretary,  
IMPERIAL IRRIGATION DISTRICT.

Charge District.

15-236

August 3rd, 1923.

Honorable Charles E. Hughes,  
Secretary of State,  
Washington, D. C.

Dear Sir:

Supplementing our telegram to you under date of  
August 3rd, 1923, as follows:

"Regarding settlement various controversies with Mexico particularly relating to water rights in Colorado River, this District compiling necessary engineering data establishing water right this community meantime respectfully refer you to opinion Attorney General Judson Harmon twenty one official opinions two seventy four. Also brief by Phil D. Swing in part two hearings before House Committee Irrigation arid lands sixty six Congress H. R. sixty forty four a bill to assist in increasing productive agricultural area in Imperial Valley. Also opinion and report Judge M. C. Burch Assistant General rendered nineteen three on Imperial Valley water rights typewritten copy on file attorney General's office. Also opinion Robert Lansing Secretary of State rendered House Committee on Irrigation arid lands on H.R. Sixty forty four August twentieth nineteen nineteen, all holding Mexico has no claim to water of Colorado River either under international law or treaties stop Reclamation Service has prepared excellent brief American Water Rights Colorado River and are interested because of Reclamation projects on river. Suggest they be given opportunity to present their views."

We submit for your perusal the opinion of Attorney

General Judson Harmon twenty-one Official Opinions 274. Also in part two of Hearings of arid lands committee on page 330 a brief by Phil D. Swing; also on page 323 opinion of Robert Lansing, former Secretary of State. We do not have at our disposal the report of Judge M. C. Burch, Assistant Attorney General, rendered 1903 on Imperial Valley water rights, but as stated in our telegram, it could be found on file in Attorney General's office.

We are making every effort to expedite the completion of our statement to you relating to water rights in the Colorado River for presentation to the Commission dealing with the controversies between the United States and Mexico.

Yours respectfully,

F. H. McIVER,  
Secretary.

FHM:ML

15-239

Congress of the United States  
House of Representatives

Washington, D. C. 602 Bancroft Building,  
San Diego, California.

August 2nd, 1923.

Mr. F. H. McIver, Secretary-Treasurer,  
Imperial Irrigation District,  
El Centro, California.

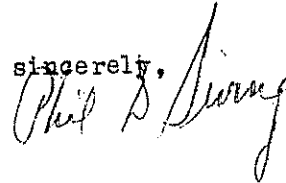
My dear Frank:

Some time ago I, like most other people in California, supposed that the Attorney General's office had carefully briefed the Colorado River problem and the water rights of California to the Waters of that River. I, therefore, wrote the Attorney General requesting a copy of his brief so that I could have the benefit of it in preparing a brief for the Secretary of State.

For your information I enclose his reply, in which he states that his office did not make a brief upon the Colorado River matter. You will also note that he asks that in the event we prepare a brief that he be given a copy of it.

PDS/HA  
Enclosure.

Yours sincerely,





U. S. WEBB, ATTORNEY GENERAL  
SAN FRANCISCO OFFICE  
1212 HUMBOLDT BANK BUILDING

PHONE SUTTER 1935

640 State Building

STATE OF CALIFORNIA  
OFFICE OF ATTORNEY GENERAL

San Francisco, July 23, 1923.

Hon. Phil D. Swing,  
602 Bancroft Building,  
San Diego, California.

My dear Mr. Swing:

Replying to yours of July 16, 1923, I regret that Mr. McKisick and I did not make a brief upon the Colorado River matter. We discussed this matter with Mr. McClure, that is true, considered the question at great length, but Mr. McKisick attended the conference with Mr. McClure held at Santa Fe and dealt with the questions there arising without a written brief.

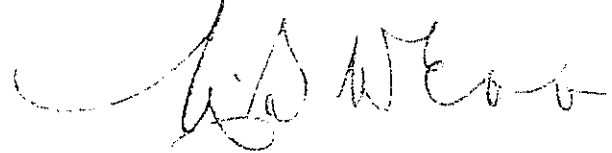
Generally, I must say relative to Wyoming vs. Colorado, that it was our conclusion that that case, so far as the principle declared, was favorable to California's claim to the waters of the Colorado River. In that opinion, as I recall, the fact was somewhat emphasized that the two states, Colorado and Wyoming, were both appropriation states, but I think that was mentioned more because of the fact than of its importance. California, while being an appropriation state, also is unfortunately a riparian state. The rights of this state though under appropriation, I think, are not limited or narrowed by reason of the fact that within the

Hon. Phil D. Swing - #2

state the riparian doctrine prevails.

Regretting that I have not a brief that will aid you in your investigation and asking that in the event you prepare a brief you be good enough to let me have a copy, I remain with highest personal and official regard,

Very truly yours,

A handwritten signature in cursive script, appearing to read "W. M. E. O. O.", written in dark ink.

W/M

15-240

# Congress of the United States

## House of Representatives

Washington, D. C. 602 Bancroft Building,  
San Diego, California.

July 11th, 1923.

Mr. Charles L. Childers,  
Attorney at Law,  
El Centro, California.

My dear Charles:

I regret that I have not been able to get started upon the brief to be filed with the State Department on the Colorado River. It seems to me that before the brief can be written there must be certain engineering data collected and tabulated regarding the use of the waters of the Colorado River within Imperial Valley. This data should begin with a copy of the filing made by the predecessor of the Imperial Irrigation District in the Recorder's office of San Diego County. Perhaps Mr. McIver has a copy of this filing. At least, there should be a copy on file in a folder marked "Water Rights of Imperial Valley". The proof would be the amount of water beneficially used in the United States from year to year thereafter down to the present time. When I say "beneficially used" I mean not only the water delivered to the land and paid for by the farmer, but also all additional amounts of water which must necessarily be diverted at the river in order to make the system a success, which would include the reasonable amount lost in seepage and evaporation, also any reasonable amount lost in wastage due to inability to precisely measure the amount of water needed in an irrigation system so large as that of our district. In fact, these figures should be as large as the truth will warrant. I doubt, however, whether we would have a right to claim, under the laws of the United States, a water right for the water delivered and sold in Mexico.

The additional data should show the various steps taken whereby the legal title to the water right acquired under this filing has been transferred successfully to the Imperial Irrigation District, the present owner. This would call for a showing, more or less complete, of the organization of the California Development Company, the receivership, the sale to the Southern Pacific Company, and its final transfer to the District. The data should also include the continuous extension of the irrigated area and its ultimate development in acreage. It should be shown that the full system which exists at present was contemplated by the original appropriators of the water in 1900 and 1901, and that surveys were made at or approximately that time, or very soon thereafter, for all of the main canals practically as they exist today.

Congress of the United States  
House of Representatives  
Washington, D. C.

Mr. Charles L. Childers,

-2-

July 11th, 1925.

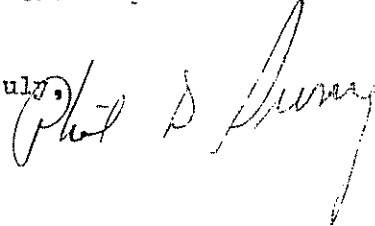
Verification of this fact, I believe, can be had at the Calexico office of the District.

The duty of water should be proven in some satisfactory manner, because, as you know, it greatly varies in the various communities. I think the Reclamation Service has accorded us 5.5 acre feet per year, although they always claim this is more than we need. Of course, the bigger quantity of water we can claim the better off we are.

I hope in the very near future to be able to settle down and block out at least a part of this statement, but time can be gained by having the necessary engineering data compiled for us now.

Since the Secretary of State stated in reply to my telegram that the present commissioners are not going to take up the matter of the treaty on the Colorado River, I don't see the occasion for any extreme hurry just at this time, although I suggest it might be well for the District to put on file a letter stating that they are gathering the necessary engineering data which will be filed later, and that in the meantime they call attention to the position of Judson Harmon and my brief, which was filed with their solicitor at the time of the Kettner Bill, and also to the decision of the Department of Justice in 1902 turning down the protest of the Mexican Government on the diversion of water at Hanlon Heading from the California Development Company. They might also be asked to request a statement from the United States Reclamation Service at Washington, as they are jointly interested with us in the water rights of the stream and are only waiting a call of the State Department to file a brief in the matter.

Yours very truly,



PDS/EA

C.C. to Mr. Childers, Live Oaks, Cal.  
C.C. to Mr. F.H. McIver, Secretary,  
Imperial Irrigation District,  
El Centro, California.

15-241

FILE No. 5571

El Centro, Calif.  
Oct. 28, 1931

Mr. R.H. Maddux, Business Manager  
Imperial Irrigation District  
Imperial, California

Dear Sir:

This will acknowledge receipt of  
certified copy of "Water Notice" dated April 25,  
1899, signed by R. T. Perry as Secretary of the  
California Development Company, marked file No. 287.

Yours very truly,

F.H. McIver  
Secretary-Treasurer

## WATER NOTICE.

April 25th, 1899.

To whom it may concern:

Notice is hereby given that I. C. N. Perry, a citizen of the United States of America and of the State of California, do for myself and the California Development Company, a corporation, duly and lawfully organized on the 24th day of April, 1898, under and by virtue of the laws of the State of New Jersey, one of the United States of America, claim ten thousand (10,000) cubic feet per second of the water of the Colorado River flowing by the intended point of diversion, as follows:

The intended point of diversion is located on the Southwest Quarter of Section Twenty-five (25) Township Sixteen (16) South, Range Twenty-one (21) East of San Bernardino Base and Meridian, and being further described as a point of location on the west bank of the Colorado River in San Diego County, State of California, one and one-fourth miles, more or less, up the river, from the point where the International line between the United States of America and the Republic of Mexico intersects the West bank of the Colorado River.

The said point of diversion is more specifically described as extending from a point due East of the pumping plant of the Paymaster Mining Company, up the River a distance of five hundred feet, more or less, to a hill.

I claim the right to the said 10,000 cubic feet per second for the purpose of developing power and for the irrigation of lands in San Diego County, State of California, U. S. A., and in Lower California, Republic of Mexico.

The purpose of this claim is to carry the water herein



appropriated from the above described point of diversion through a canal which will run in a South-westerly direction through Lower California, Republic of Mexico, and from thence into that portion of San Diego County, State of California, U. S. A., lying to the East of the San Jacinto Mountains and known as the New River Country.

Said canal will be 200 feet, more or less, in width and will carry approximately in depth, ten feet of water; the length of the canal will be 80 miles, more or less.

C. N. Perry.

I, W. T. Heffernan, a Citizen of Yuma, Arizona, U. S. A., do hereby certify that I witnessed the posting of the original notice of which the foregoing is a true, correct and faithful copy.

W. T. Heffernan.

I, C. N. Perry, the within named person, who filed the foregoing notice of water appropriation, do, for one dollar and other valuable considerations, hereby assign all my right, title and interest in the within named claim of the right to appropriate water from the Colorado River to the amount named herein, being 10,000 cubic feet per second, to the said California Development Company.

C. N. Perry.

Recorded at request of C. N. Perry May 2, 1899 at 9 o'clock A. M.

Jno. F. Forward, Recorder.


By A. P. Johnson Jr.,

Deputy Recorder.

I, R. T. Perry, Secretary of The California Development Company, do hereby certify, that the above and foregoing is a full, true and perfect copy of a Notice of Appropriation of Water by C. N. Perry on the 26th day of April, 1899, and by the said Perry assigned to The California Development Company.

I further certify that the said Notice and Assignment has been duly recorded in the office of the County Recorder of San Diego County, California, and that the same appears of record in said office in Book No. 3 of Water Claims at page 280 et seq.

Given under my hand and the seal of The California Development Company this 9th day of January, 1904.

  
Secretary.

15-242

FILE NO. 5570

El Centro, Calif.  
Oct. 28, 1931

Mr. R.H. Maddux, Business Manager  
Imperial Irrigation District  
Imperial, California

Dear Sir:

This will acknowledge receipt of  
original "Assignment of Water Claim", dated August  
15, 1911, signed by E. I. Rockwell, marked File  
No. 133.

Yours very truly,

F.H. McIver  
Secretary-Treasurer

FILE No. 5570

CONTRACT AUDIT # 81-

ASSIGNMENT  
OF  
WATER CLAIM.

This instrument executed and signed this 15<sup>th</sup> day  
of August, 1911.

WITNESSETH: Whereas E. I. Rockwell, for himself  
and others did on May 16th, 1895, give notice and file a  
claim for , and to use and appropriate ten thousand (10,000)  
cubic feet per second of the water of the Colorado River  
flowing by the intended point of diversion as follows:-

The intended point of diversion is located on the  
SW 1/4 of Section 25, tp. 16 S.R. 21 E. of San Bernardion Base  
and Meridian, and being further described as a point of location  
on the west bank of the Colorado River in San Diego County,  
State of California,, 1 $\frac{1}{4}$  miles more or less up the river from the  
point where the International line between the United States of  
America and the Republic of Mexico intersects the west bank of the  
Colorado River. The said point of diversion is more specifically  
described as extending from a point due west of the pumping plant  
of the Pay-master Mining Company up the River a distance of 500  
feet more or less, to a hill, and Whereas, such notice and filing  
by me and for others was and is intended to mean the California  
Development Company, a corporation duly organized and existing  
under and by virtue of the laws of New Jersey one of the United  
States of America, and

Whereas, such notice and filing first above mentioned is  
recorded in the Books kept for such purpose in the office of the  
County Recorder of San Diego County, State of California, U. S. A.

NOW THEREFORE,

For and in consideration ----- of one dollar United States

Coin, and other valuable consideration to me in hand paid  
by said The California Development Company, the receipt of  
which is hereby acknowledged, do hereby for myself and others  
assign all my right, title and interest to the hereinabove  
mentioned Water to the said The California Development Company.

E. I. Rockwell

Signed, sealed and de- )  
livered in the Presence )  
of M. Morgan )

State of California,

County of Los Angeles, 14 -

On this 15 day of August, 1911, before me, S. F. McCLUNG  
\_\_\_\_\_, a Notary Public, in and for said County of Los Angeles,  
residing therein, duly commissioned and sworn, personally  
appeared E. I. Rockwell known to me to be the person described  
in and whose name is subscribed to the within instrument, and  
who acknowledged to me that he executed the same.

In witness whereof, I have hereunto set my hand and affixed  
my official seal the day and year in this certificate first above  
written.

S. F. McClung  
Notary Public in and for the County of  
Los Angeles, State of California.

15.243



FILE No 5570

May 8, 1929

Mr. Chas. L. Childers, Chief Counsel,  
Imperial Irrigation District,  
El Centro, California.

Dear Mr. Childers:

Will you kindly communicate with the firm  
of Koebig and Koebig, Consulting Engineers, in reply to  
their letter of May 1st addressed to President and Board of  
Directors, Imperial Valley Irrigation District?

It is the desire of the Board that you re-  
ply to this letter, which concerns the Colorado River water  
rights.

Yours very truly,

F. H. Malver,  
Secretary-Treasurer.

1:B



SANITARY  
INDUSTRIAL  
MUNICIPAL  
CONSTRUCTION  
IRRIGATION  
HYDRO-ELECTRIC  
HYDRAULIC

SUITE 821 TITLE INSURANCE BUILDING  
PHONE ME. 3566  
LOS ANGELES, CALIF

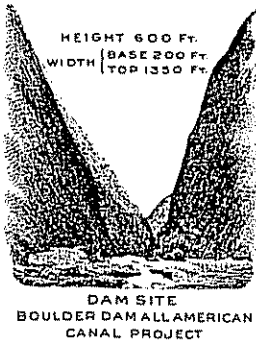
President and Board of Directors,  
Imperial Valley Irrigation District,  
Imperial, Calif..

It has become of a great deal of interest to some of my clients to find out how much water your Irrigation District demands per annum for the successful operation of said district. I also would like to know whether you intend to claim this water from the amount of water allocated to the State of California by the proposed compact between six or seven states, or whether you have in mind some other water supply furnishing you the necessary amount.

Yours very faithfully,

KOEBIG & KOEBIG

Per : 3 Aug



# IMPERIAL IRRIGATION DISTRICT

ORGANIZED JULY 25, 1911  
COMPRISING 605,000 ACRES

EL CENTRO, CALIFORNIA

## OFFICERS

EARL C. POUND, PRESIDENT  
F. H. McIVER, SECRETARY AND TREASURER  
M. J. DOWD, CHIEF ENGINEER  
CHAS. L. CHILDERS, ATTORNEY  
C. W. BARRY, ASSESSOR & COLLECTOR

## DIRECTORS

C. W. BROCKMAN, CALEXICO  
IRA ATEN, EL CENTRO  
W. O. BLAIR, CALIPATRIA  
EARL C. POUND, BRAWLEY  
MARK ROSE, HOLTVILLE

May 17, 1929.

Imperial Irrigation District,  
El Centro, California.

Attention Mr. McIver.

Gentlemen:

I have your favor of the 8th. instant,  
inclosing copy of letter from Messrs. Koebig &  
Koebig, Consulting Engineers, and inclose herewith  
copy of letter furnished them.

Faithfully yours,

CLC-b

May 17, 1929.

Imperial Irrigation District,  
El Centro, California.

Attention Mr. McIver.

Gentlemen:

I have your favor of the 8th. instant,  
inclosing copy of letter from Messrs. Koebig &  
Koebig, Consulting Engineers, and inclose herewith  
copy of letter furnished them.

Faithfully yours,

CLC-b

May 17, 1929.

Messrs. Koebig & Koebig,  
Consulting Engineers,  
821 Title Insurance Building,  
Los Angeles, California.

Gentlemen:

Your favor of May 1st. addressed to the President and Board of Directors of Imperial Irrigation District was handed to me for reply.

The <sup>predecessor</sup> ~~successor~~ of Imperial Irrigation District, in full compliance with the law at that time, appropriated from the Colorado River in 1898, ten thousand second feet of water. Through appropriate and proper proceedings the Imperial Irrigation District succeeded to all of these rights and since that time the water has been applied to use with diligence, constantly increasing the use in compliance with the notice. This use will continue until the whole of the area which will be under the All American Canal will be served, requiring nearly, if not quite, the full amount of the appropriation. I know of no other source from which the water can be obtained and I assume that the water under this appropriation will be considered as a part of California's apportionment under the compact.

Trusting this answers your inquiry, I am

Faithfully yours,

CLC-b

15-244

FILE No. 5570

Certified copies of original filings at Imperial office.

1 WHEREAS Imperial Irrigation District is the  
 2 owner of the right to take and use from the Colorado River all  
 3 water required within the District as it now exists or as the  
 4 same may be enlarged, and within the Republic of Mexico, and  
 5 otherwise, and that said rights attach to and may be satisfied  
 6 from the natural or ordinary flow of the stream, from flood  
 7 or storm water or from water that may be stored at Hoover Dam  
 8 or elsewhere, or from a combination of said sources as may be  
 9 necessary, convenient, advisable, or required, but certain of  
 10 said rights under State law have on occasion been somewhat  
 11 questioned, and (S. L. Childers)

12 NOW, THEREFORE, BE IT RESOLVED that A. L.  
 13 Cowell, Attorney-at-Law, of Stockton, California, be and he is  
 14 hereby authorized on behalf of Imperial Irrigation District  
 15 to file with the Division of Water Resources of the Department  
 16 of Public Works of the State of California, an application  
 17 or applications to appropriate from the Colorado River not  
 18 inconsistent with the agreement between this District, the  
 19 Metropolitan Water District of Southern California, and others,  
 20 dated August 18, 1931, a continuous flow of 10,000 second  
 21 feet of water not exceeding in any one calendar year 3,850,000  
 22 acre feet of water to be taken from natural or ordinary flow,  
 23 from storm or flood water and from water that may be stored  
 24 at Hoover Dam or elsewhere and from time to time released, or  
 25 a combination of such sources, and that said application be  
 26 wholly supplementary to the rights of the District now ~~has~~ <sup>has</sup>

27 without waiving or purporting to waive any such rights which

28 the District may have or may <sup>hereafter</sup> ~~otherwise~~ acquire, but <sup>by</sup> ~~by~~

29 reserving to the District all such rights.

## WATER RIGHTS OF

FILE No. 5570

## IMPERIAL IRRIGATION DISTRICT

First water notice was filed July 15th, 1895 and annually thereafter until January 25th, 1899.

The records of the Imperial Irrigation District indicate that the water was first turned from the Colorado River into the canal system at 11 A.M. on the 14th day of May, 1901, and that in June 1901, the first water was delivered in Imperial Valley from said canal system.

The records also indicate that in the year 1903 there was in Imperial Valley a total of 25,000 acres under irrigation. From that time to the present there has been a continuous expansion of irrigation. On Nov. 1st, 1922 there was a total of 448,893 acres of land irrigated. There are conservatively 460,000 acres of land that have received or are now receiving water from the main canal system of the Imperial Irrigation District.

Claimant	<u>date of filing</u>	<u>Appropriated Water Supply</u> Amount Claimed sec. ft	Remarks
E. I. Rockwell	May 16th, 1895	10,000	Diversion point 1 1/2 No. of boundary
California Dev. Co.	Dec 15th, 1895	10,000	Do.
E. I. Rockwell to the California Dev. Co.	Aug. 15th, 1911	10,000	Rockwell conveys to the California Dev. Co. all his interests in his original filing of May 16th, 1895.
W. T. Gonder	Jul. 15th, 1895	10,000	Diversion pt. 1 1/2 miles No. of boundary
W. T. Heffernan	Sept. 13th, 1895	10,000	Do.
W. T. Gonder	Nov. 12th, 1895	10,000	Do.
Do.	Jan. 14th, 1896	10,000	Diversion pt. 1 1/2 Miles No. boundary
W. T. Heffernan	Mar. 18th, 1896	10,000	Do.
Do.	Do.	10,000	Do.
Do.	Jan. 23rd, 1897	10,000	Do.
W. T. Gonder	Mar. 27th, 1897	10,000	Do.
W. T. Heffernan	Jul. 24th, 1897	10,000	Do.
California Dev. Co.	Dec. 15th, 1898	10,000	Do.
C. N. Perry for himself and Calif. Dev. Co.	Dec. 21st, 1898	10,000	Do.
W. T. Heffernan	Jan. 18th, 1899	10,000	Assigns all his claims to California Dev. Co.
W. T. Gonder	Jan. 25th, 1899	10,000	Do.
Do.	Apr. 25th, 1899	10,000	Diversion Pt. 1 1/2 Miles No. boundary
C. N. Perry for himself and California dev. co.	Feb. 20th, 1899	10,000	Do
Do.	Apr. 25th, 1899	10,000	Do.
Do.	Do.	10,000	Diversion Pt. 3,000 ft north of boundary

\* Compiled FROM Senate Document No. 142

5570



15-247

June 28th, 1923.

Mr. Chas. L. Childers, Attorney,  
Imperial Irrigation District,  
El Centro, Calif.

Dear Mr. Childers:

For your information in preparing  
a statement and brief to submit to the meeting in  
Mexico City we hand you copy of letter received from  
the Department of State under date of June 1st, 1923.

Very truly yours,

F. H. McIVER,  
Secretary-Treasurer

FHMc.BP

15-249

Address Official Communications to  
THE SECRETARY OF STATE  
Washington, D.C.

DEPARTMENT OF STATE  
Washington,

June 1, 1923.

In reply refer to  
So-711.1216 M/514

Mr. F. E. McIver, Secretary  
Imperial Irrigation District,  
El Centro, California.

Sir:

The Department has received your telegram of May 24, 1923, in which you state that the Imperial Irrigation District is preparing a statement of the claims of American Citizens relative to the waters of the Colorado River, to be later filed with the Department. You also state that the District desires the privilege of presenting the matter directly to any commission which may be charged with the responsibility of negotiating a treaty with reference to the Colorado River.

The department will await the receipt of the statement in question.

I am, Sir,

Your obedient servant,

For the Secretary of State:

(Sgnd) Alvey A. Adee

Second Assistant Secretary

15-250



DEPARTMENT OF STATE

WASHINGTON

June 1, 1923

In reply refer to  
So-711.1216 M/514.

S + C

Mr. F. H. McIver, Secretary,  
Imperial Irrigation District,  
El Centro, California.

Sir:

The Department has received your telegram of May 24, 1923, in which you state that the Imperial Irrigation District is preparing a statement of the claims of American citizens relative to the waters of the Colorado River, to be later filed with the Department. You also state that the District desires the privilege of presenting the matter directly to any commission which may be charged with the responsibility of negotiating a treaty with reference to the Colorado River.

The Department will await the receipt of the statement in question.

I am, Sir,

Your obedient servant,

For the Secretary of State:

*Alvay A. Adee*

Second Assistant Secretary.